



# Legislative Updates 2020

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Automation Services Division

Court Services Division

Arizona Supreme Court

June 2020

# Legislative Update 2020

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Emergency  
Effective Date  
Bills

General  
Effective Date  
Bills

Delayed  
Effective Date  
Bills

# Emergency Effective Bills

# SB1236,CH 74: ADULT ADOPTION; STEPCHILDREN

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- Allows an adult to adopt another consenting adult if the person being adopted is a current or former stepchild.
- Emergency Effective Date: June 5, 2020



# General Effective Bills

THE 54TH LEGISLATURE, SECOND REGULAR SESSION, ADJOURNED  
SINE DIE ON MAY 26, 2020. THE GENERAL EFFECTIVE DATE IS  
AUGUST 25, 2020.

# SB1523, CH4: MENTAL HEALTH OMNIBUS

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- Grants the Arizona Department of Insurance (DOI) authority to enforce mental health parity, establishes the Mental Health Parity Advisory Committee, the Suicide Mortality Review Team and the Children's Behavioral Health Services Fund. Appropriates funds to the Department of Education, DOI and the Fund.
- Specifies that a person who violates confidentiality requirements of section 36-199.01 is guilty of a class 2 misdemeanor.
- Effective date: 8/25/2020

SB1441,CH81:  
PROTECTION ORDERS;  
MODIFICATION;  
RESIDENCE POSSESSION

Requires a person to notify the court if the person moves out of their residence while an Order of Protection or emergency order of protection is in effect.



ALL COURTS IN ARIZONA ADDRESS CITY,

**ORDER OF PROTECTION**  
[ ] Amended Order

PLAINTIFF

First Middle Last

And/or on behalf of minor family member(s) and other Protected Per

Ca  
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Forme  
PLAINT  
Date of Bi

Things You Should Know About

# *Protective Orders*

Orders of Protection  
Injunctions Against Harassment  
Injunctions Against Workplace Harassment

# SB1441,CH81: PROTECTION ORDERS; MODIFICATION; RESIDENCE POSSESSION

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- Stipulates if a person granted use and exclusive possession of the parties' residence moves out of the house while an Order of Protection is in effect, the person must file a written notice with the court within five days after moving out.
- Requires the court, upon receiving the notification from the plaintiff, to provide the defendant notice of the following: the plaintiff has moved out of the residence and the defendant has a right to receive a hearing.
- Effective Date: 8/25/2020



# SB1441,CH81: PROTECTION ORDERS; MODIFICATION; RESIDENCE POSSESSION

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➤ **Protective Order forms will be updated as following:**

- A New Notice form created, titled “Notice Regarding Exclusive Possession of a Shared Residence”.
- The notice will serve as both the plaintiff’s notice to court and defendant’s notice from court that the exclusive use of residence on the Protective Order may be modified after a hearing.
- The Plaintiff's Guide Sheet for Protective Orders will be updated.
- The Defendant's Guide Sheet for Protective Orders will be updated.
- All Forms are available at the following link:  
<https://www.azcourts.gov/domesticviolencelaw/Protective-Order-Forms-w-redline>

# SB1441,CH81: PROTECTION ORDERS; MODIFICATION; RESIDENCE POSSESSION

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- **Court automation impact will be the following:**
- AZPOINT: Plaintiff's Guide Sheet and Defendant Guide Sheet will be updated.
- AJACS: Defendant Guide Sheet updated in CMS and a new event code created with description "Notice: Re - Exclusive Possession of Shared Residence".

SB1441,CH81:  
PROTECTION  
ORDERS;  
MODIFICATION;  
RESIDENCE  
POSSESSION

New AJACS Process for  
Notice Regarding Possession  
of a Shared Residence

All Courts in Arizona/NCIC#/DPS#	Address	City, Arizona Zip Code	Telephone Number
<div>Plaintiff</div> <div>v.</div> <div>Defendant</div>	<div>Case No.</div>	<b>NOTICE REGARDING EXCLUSIVE POSSESSION OF A SHARED RESIDENCE</b>	

I am the plaintiff in the above-captioned case. This court issued an Order of Protection on my behalf and granted me exclusive possession of a residence that I shared with the defendant. I am giving notice to the court that effective \_\_\_\_ / \_\_\_\_ / \_\_\_\_, I moved out of the previously shared residence located at:

\_\_\_\_\_  
Street Address City State/Zip Code

Under penalty of perjury, I swear or affirm the above statement is true.



\_\_\_\_\_  
Plaintiff Date

# New AJACS Process for Notice Regarding Possession of a Shared Residence Form

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- **Plaintiff will file notice at court.** Paper copy of Notice Regarding Exclusive Possession of a Shared Residence form should be made available in lobby or front counter.
- **Court will docket event code.** AJACS courts will use, “Notice: Re - Exclusive Possession of Shared Residence”. Scan and attach notification if court has scanning capability. REMINDER: Court should update case management system with the plaintiff’s new address for future correspondence while plaintiff is still at counter.
- **Court will mail copy of notification to defendant.** Notice also has a portion that gives defendant the option of requesting a hearing with the court.

# New AJACS Process for Notice Regarding Possession of a Shared Residence Form

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- Defendant's response to notification will determine next step:
- **Defendant does not respond to notice.** Order will remain.
- **Defendant requests a hearing.** Court will set hearing with all parties on case. Court may modify order after hearing. **IMPORTANT: Brady will apply if all conditions are met.**

# SB1441,CH81: PROTECTION ORDERS; MODIFICATION; RESIDENCE POSSESSION

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➤ More information on Protective Order Process can be found at the links below:

- LJ AJACS - Protective Order Processing document:

<http://ajinweb/csd/ACAP/AJACS/PO2020%20AJACS.pdf>

- All ACAP Training Documents for AJACS: [http://ajinweb/csd/ACAP\\_Training\\_AJACS.htm](http://ajinweb/csd/ACAP_Training_AJACS.htm)

# Delayed Effective Bills

# SB1305, CH78: PERSONAL DELIVERY DEVICES

ESTABLISHES LAWS  
GOVERNING THE OPERATION  
OF A PERSONAL DELIVERY  
DEVICE.





# SB1305, CH78: PERSONAL DELIVERY DEVICES

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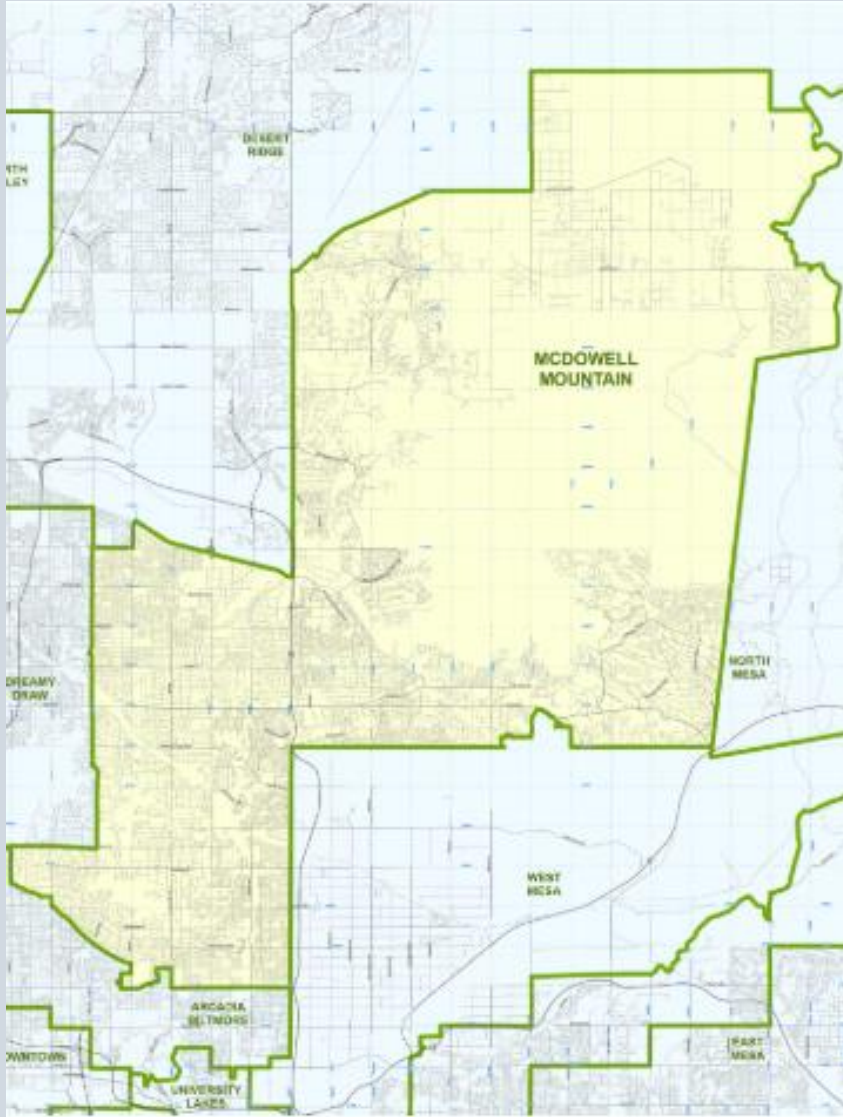
- Redefines personal delivery device as a device that is
  - Manufactured for transporting cargo and goods within a described area; and
  - Equipped with automated driving technology, including software and hardware, that enables the operation of the device with the remote support and supervision of a human.
- Permits a person to operate a device only if the person is:
  - A business entity and agent of the business entity who is capable of monitoring or exercising physical control over the navigation and operation of the Device.

# SB1305, CH78: PERSONAL DELIVERY DEVICES

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## New Civil Traffic Violations:

Violation	Description	Class	Class Reference	Victim Code	Effective Date	MVD	DPS
28-1223A	PDD OPERATOR VIOLATION	T1	28-121B		9/1/2020	N	N
28-1224A1	PDD OPERATE IN NONCOMPL PEDSTR	T1	28-121B		9/1/2020	N	N
28-1224A2	PDD YIELD/OBSTRCT RIGHT-OF-WAY	T1	28-121B		9/1/2020	N	N
28-1224A3	PDD INTERFERE W/TRAFFIC	T1	28-121B		9/1/2020	N	N
28-1224A4	PDD OPERATE W/OUT NIGHT LIGHTS	T1	28-121B		9/1/2020	N	N
28-1224A5	PDD COMPLY LOCAL REGULATIONS	T1	28-121B		9/1/2020	N	N
28-1224A6	PDD TRANSPORT HAZARD MATERIAL	T1	28-121B		9/1/2020	N	N
28-1224A7	PDD NOT MONITOR/CONTROLLED	T1	28-121B		9/1/2020	N	N
28-1225A1	PDD SPEED >12MPH PEDESTRN AREA	T1	28-121B		9/1/2020	N	N
28-1225A2	PDD SPEED >20MPH SIDE OF ROAD	T1	28-121B		9/1/2020	N	N
28-1226A	PDD EQUIPMENT REQ VIOLATION	T1	28-121B		9/1/2020	N	N
28-1226B	PDD NO NIGHTTIME LIGHTS VIO	T1	28-121B		9/1/2020	N	N
28-1228	PDD NO PROOF OF INSURANCE	T1	28-121B		9/1/2020	N	N



## HB2230, CH16: JUSTICE COURT; JURISDICTION; CRIMES

Expands justice court jurisdictions to include misdemeanors and certain criminal offenses that occur on the boundary of two or more precincts or within one mile of the boundary.

# HB2230, CH16: JUSTICE COURT; JURISDICTION; CRIMES

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- Adjusts justice court jurisdictions to include misdemeanors and certain criminal offenses that occur on the boundary of two or more precincts or within one mile of the boundary. (Sec. 1)
- Adds that if a uniform traffic ticket and complaint is filed in the incorrect precinct and that precinct is on the boundary of two or more precincts, or within one mile of the boundary, the case may be transferred to the correct precinct if both precincts are in the same county.
- Effective January 1, 2021

## General Update Links

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General automation changes may be viewed at the following links: <http://ajinweb/csd/ASU.htm>

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<http://www.azcourts.gov/courtservices/Automation-Services-Unit>

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AJACS automation changes may be viewed at the following link: <http://ajinweb/ajacscms/Default.htm>

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Statewide Standard Violation Code Table:  
<http://www.azcourts.gov/courtservices/Automation-Services-Unit/Statewide-Standard-Violation-Code-Table>

## Additional Resources

AZ Supreme Court, End-of-Session Legislative Report:  
<http://www.azcourts.gov/legislativeupdate/Home.aspx>

Arizona State Legislature: <http://www.azleg.gov>

Arizona Secretary of State: <http://www.azsos.gov/>

Arizona Criminal Justice Commission:  
<http://www.azcjc.gov/acjc.web/default.aspx>

LOLA Public Access:  
<https://www.azcapitolreports.com/pahistories2.cfm>

# Questions?

If you have questions related to these bills or **general questions**, please contact Michal Musgrove at [mmusgrove@courts.az.gov](mailto:mmusgrove@courts.az.gov).

Questions regarding the changes to **LJ AJACS** should be directed to Adele May at [AMMay@courts.az.gov](mailto:AMMay@courts.az.gov).

Questions regarding the changes to **GJ AJACS** should be directed to Beth Peterson at [bpeterson@courts.az.gov](mailto:bpeterson@courts.az.gov)